INVENTORY OF DOCUMENTS RECEIVED FROM
JAMES A. WILDEROTTER, FORMER
ASSOCIATE DEPUTY ATTORNEY GENERAL
DEPARTMENT OF JUSTICE
June 17, 1975

1. Copy of Civil Suit by Mark H. Halperin v. Kissinger (Civil Action No. 1187-73).

2. Copy of 7/23/74 memorandum from Director, FBI, to the Attorney General captioned, "Electronic Coverage Placed at the Request of the White House," with 16 enclosures.

3. Two copies of a memorandum from Acting Director, FBI, to the Attorney General dated 6/25/73 captioned, "Sensitive Coverage For the White House."

(1) Enclosure - described as summary of 17 wiretaps conducted for the White House from 1969-1971.

4. One copy each of memoranda from Mr. Hoover to Messrs. Tolson, DeLoach, Sullivan and Bishop dated 5/9/69 reflecting telephonic conversations between Mr. Hoover and Dr. Kissinger re article by William Beecher in 5/9/69 issue of "The New York Times." Copy of article also attached.

re 17

5. Three sheets, undated, with no letterhead to identify writer. Page one begins Mr. C and then identifies "C" as a member of the National Security Council Staff.

6. Pages of a transcript of the hearing on Dr. Kissinger's nomination on 9/10/73 which contained statement by Attorney General Elliot L. Richardson. Attached to this is a copy of a memorandum from Director, FBI, to the Attorney General dated 9/12/73 captioned, "Seventeen Wiretaps Operated for the White House by the FBI Between 1969 and 1971." Attached to this memorandum is a copy of a memorandum from the Attorney General to the Director, FBI, dated 9/13/73 captioned, "Executive Session Testimony Before the Senate Foreign Relations Committee, September 10, 1973."

7. Note from Jim Wilderotter to Jack Keeney dated 3/6/75. Attached to this is a note dated 12/30/74 from Henry E. Petersen to Mr. Silberman. Attached to this note is a copy of a memorandum dated 12/27/74, from John A. Davitt to Petersen captioned, [redacted] Espionage-R."

8. Memorandum dated 8/15/74 from Henry E. Petersen to the Deputy Attorney General captioned, "Electronic Surveillance Inquiry by Central Intelligence Agency."

ENCLOSURE

HANDLE VIA COMINT CHANNELS ONLY TOP SECRET

ENCLOSURE

Classified by
Exempt from GDS, Category
Date of Declassification Indefinite

9. Envelope captioned, "Correspondence With Senate Foreign Relations Committee." This envelope contained five letters dated 7/5/74, 6/24/74, 6/13/74 and 6/14/74 from Mr. Silberman to Senator J. W. Fulbright. Also included was a copy of a memorandum dated 6/24/74 from Director, FBI, to the Attorney General captioned, "17 Wiretaps Operated for the White House by the FBI between May, 1969 and February, 1971."

Petersen

In addition, this envelope contained: (1) a letter from Senator Fulbright to Attorney General Saxbe dated 6/28/74; (2) a letter dated 6/27/74 from Norvill Jones to J. Wilderotter; (3) a letter from Senator Fulbright to Deputy Attorney General Silberman dated 6/19/74; (4) a letter from Senator Fulbright to Deputy Attorney General Silberman dated 6/13/74; and (5) a letter to Attorney General Saxbe from Senator Fulbright dated 6/12/74.

Petersen

10. One copy each of three drafts of testimony before Congress as to why President Nixon should not be prosecuted. All undated.

Burns

11. Copies of three memoranda, with enclosures, from Director, FBI, to the Attorney General dated 11/15/74, 11/15/74, and 11/11/74, all captioned, "Counterintelligence Program (COINTELPRO)."

Petersen

12. Three copies each of a memorandum dated 4/25/75 from T. George Gilinsky to Henry E. Petersen captioned, "Determination of Criminal and Civil Liability Resulting From Cointelpro Programs maintained by FBI;" described as Exhibit N; also three copies of Exhibit N captioned, "Analysis of Potential Criminal and Civil Liability Stemming from Actions Undertaken by the FBI in Connection with Its Various COINTELPRO Programs." Also, ten copies of three questions and answers as to whether the Attorney General (or Department) intends to prosecute criminally any of the individuals involved.

X

13. Memorandum dated 2/7/75 from John C. Keeney to the Attorney General captioned, "Supplemental Material to the Criminal Division Briefing Book;" classified "Secret."

Case

14. Department Action Memorandum dated 8/5/74 (copy) from Henry Petersen to the Attorney General captioned, "Special Prosecutor's Opposition to Defendants' Motions for Discovery of National Security Evidence in U. S. v Ehrlichman, et al."

X

15. [redacted]

16. Draft of a letter classified "Secret" from Linwood Holton, Assistant Secretary for Congressional Relations, to Norvill Jones, Staff Member, Committee on Foreign Relations, U. S. Senate, undated with notation "Troika members only - no staff."

17. 164 forms cateloging data in "official and confidential" files of former Directon Hoover and a copy of a memorandum dated 2/11/75 from the Director to the Attorney General captioned, "Review of Material, etc."

18. Three copies of blind memoranda dated 2/20/75 captioned, (1) "Review of Hoover Files For Information That He Initiated Investigations or Inquiries;" (2) "Review of Hoover Files For Information Personally Disseminated by Mr. Hoover;" and (3) "Review of Hoover Files For Purpose of Categorizing The Information Contained in the 164 Folders."

19. Copy of memorandum to the Attorney General Re: "Sanctions for Improper Collection or Release of Criminal Justice Information," dated 2/25/75. Also, clipped to this was the following: (1) Department memorandum from Robert J. Havel to William M. Hoiles dated 2/24/75 Re "Attorney General's Testimony on FBI Files and Some Questions the Subcommittee Might Raise;" (2) Copy of Director's statement of 2/27/75 to be delivered before Subcommittee on Civil Rights and Constitutional Rights; (3) draft of observations (in Department) of impact Freedom of Information Act has on FBI files; and (4) Draft of remarks by Attorney General before above Subcommittee.

20. Copy of write-ups on: William R. Anderson, Lyndon B. Johnson, Harlan W. Hagen, John F. Kennedy, Robert F. Kennedy, Henry Cabot Lodge, Joseph McCarthy, George S. McGovern, Richard M. Nixon, Claude Pepper, Adlai Stevenson, Harry S. Truman, David I. Walsh, Clinton P. Anderson, Styles Bridges, Samuel Dickstein, and Martin Dies, which given a brief resume of data in each folder on above which were maintained in Hoover's "Official and Confidential" files.

21. [redacted]

22. Undated copy of blind memorandum captioned, "Time Frame of Material Previously Maintained in Mr. Hoover's Office."

23. Original of memorandum dated 4/25/74 from the Director, FBI, to the Associate Deputy Attorney General captioned, "Request For Access To Material Relating to Sensitive Coverage For the White House."

24. Folder #1: Background data, including copy of FBI memoranda for the Attorney General's testimony before the Edwards Committee 2/19/75. Included also is a copy of a memorandum from Mr. Hoover to Tolson, Tamm and Nichols dated 10/1/41 Re maintenance of a confidential file in the office of Miss Gandy.

25. Folder #2: Copies of various drafts of the Attorney General's statement of November 18, 1974, Re COINTELPRO.

26. Folder #3: Same as #2.

27. [redacted]

28. Cheese envelope containing copies of 5/9/69 memoranda from the Director to Tolson, DeLoach, Sullivan and Bishop Re conversations between the Director and Dr. Kissinger Re leaks in "The New York Times" article of William Beecher.

29. Brown envelope containing copies of background memoranda concerning wiretaps operated for White House between May, 1969, and February, 1971. Included are the originals of two memoranda dated 6/20/74 from the Director to the Attorney General captioned, "17 Wiretaps Operated For The White House by the FBI Between May, 1969 and February, 1971."

30. [redacted]

This page of Serial 7-3-25 has been deleted

for the following reason(s):

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34. Folder containing numerous background data on COINTELPRO. Attached to inside leaf of outer folder is original of undated memorandum from James A. Wilderotter to the Attorney General captioned, "Representation of Present and Former Departmental Officials as Defendants in Civil Suits as a Result of Their Participation in COINTELPRO."

35. Green looseleaf folder containing various background data for press briefings, including a copy of the Attorney General's statement of 11/18/74 on COINTELPRO and a copy of a report, undated, captioned, "Study Committee Report on FBI Counterintelligence Program." Also included was a memorandum from Robert J. Havel, Director of Public Information to Deputy Attorney General Silberman dated 12/12/74 enclosing "COINTELPRO clips" for Silberman's appearance on the "Martin Agronsky Show" on that date.

36. Green looseleaf folder, undated, containing various "issues involving the FBI which are likely to be of immediate interest ..." to the Attorney General. The following areas are covered: (A) Hearings on "'Hoover Dossiers' on Members of Congress;" (B) H.R. 1864 - pertains to "Freedom From Surveillance Act of 1974," introduced by Congressman Kastenmeier; (C) Attorney General Saxbe's statement at news conference on 11/13/74; (D) memorandum from William D. Ruckelshaus to Director Kelley dated 7/20/73, captioned, "Substantive Issues Regarding the Future of the FBI;" (E) copy of a letter from Attorney General Saxbe to Orr Kelly of the Washington - Star News, undated with the notation, "NOT SENT." This letter apparently prepared in response to Kelly's request for certain materials "issued to the FBI in an effort to strengthen or define the Attorney General's control over the Bureau and its operations;" (F) copy of draft of a statement pertaining to "National Security Wiretaps;" (G) copy of a letter dated 1/15/75 from Congressman Kastenmeier to Deputy Attorney General Silberman advising that he wrote the FBI 10/23/74 requesting four items of information be supplied to the Subcommittee on Courts, Civil Liberties and the Administration of Justice, copy of letter, 12/19/74, to Saxbe from Rodino concerning same matter and copy of the Attorney General's letter to Kastenmeier of 12/9/74; and (H) copy of Title 28, Section 50.8, Policy with regard to criteria for discretionary access to investigatory records of historical interest.

37. An unmarked green looseleaf folder containing background data on COINTELPRO for Ronald Nessen, Press Secretary to the President for his press briefing on 11/18/74.

38. Same as 37 above.

39. Red accordion-type folder with the following markings on the outside: "Halperin v. Kissinger - Restricted by Order of Judge Smith." Upper right hand side had following notation "Kissinger Materials (Except Summaries and Authorizations)."

40. Cheese envelope with the notation in red "Sullivan" containing the original of 25 LHMs prepared for the Department in connection with the Director's and the Attorney General's appearance before the Edwards Committee. These LHMs are captioned as follows:

"Sullivan Memorandum to John Dean (Senator Barry Goldwater)," 1/31/75; "Sullivan Memoranda to John Dean (Mrs. Anna Chennault," 2/1/75; "Comments Made By Charles W. Colson on the 'Today' Program, February 7, 1975, Concerning Information Furnished By the FBI About George S. McGovern," 2/13/75; "Comments Made by Charles W. Colson on the 'Today' Program, February 7, 1975, Concerning Information Furnished White House by the FBI About Former President John F. Kennedy During World War II," 2/14/75; "Peter H. B. Frelinghuysen, Former Congressman, Fifth District of New Jersey, Information Concerning," 2/14/75; "Special Squad at Democratic National Convention, Atlantic City, New Jersey, August 22-28, 1964," 1/30/75; "Sullivan Memoranda to John Dean (Democratic Convention 1968)," 1/31/75; "Sullivan Memoranda to John Dean (Coverage of Television Presentation, Senate Foreign Relations Committee)," 1/31/75; "Information Concerning Contacts Between Representatives of the Soviet Union and Members or Staff Personnel of the United States Congress Furnished to the White House at the Request of the President," 2/3/75; "William R. Anderson, Former United States Congressman (Democrat-Tennessee)," 2/14/75; "Sullivan Memoranda (Walter W. Jenkins)," 2/3/75; "Information Concerning Washington Star News Article, January 31, 1975, Regarding Hale Boggs' Son Claiming Possession of Files on Warren Commission Critics," 2/3/75; "Sullivan Memoranda to John Dean (President Johnson's Inquiry Concerning Donald B. Reynolds' Use of $25,000 For Political Purposes)," 1/31/75; memorandum from the Director, FBI, to the Deputy Attorney General dated 2/3/75, captioned, "Background Information Concerning Department's Request for Body Recorder in [redacted] Investigation in 1965," enclosing an LHM captioned, "Background Information Concerning Department's Request for Body Recorder in [redacted] Investigation in 1965," 2/3/75; "Sullivan Memoranda [redacted] 2/1/75; [redacted] 1/31/75;

[redacted] "Article in New York Times, January 30, 1975, Alleging that FBI Surveilled Donald H. Nelson for President Franklin D. Roosevelt," 2/4/75; "Sullivan Memoranda to John Dean (President Roosevelt's Administration - Alleged Influence of Certain FBI Investigations - Don Lash and Sumner Welles)," 1/31/75; "Sullivan Memoranda (Allegation of Republican Instigation of Riot in New York)," 2/1/75; "Allegation in the February 17, 1975 Issue of 'Newsweek' Concerning Electronic Surveillances in Two House of Prostitution," 2/18/75; "Allegation in 'Newsweek' Magazine February 17, 1975, Edition, Regarding Counter-intelligence Program (COINTELPRO)," 2/14/75; "Article By Jack Anderson and Les Whitten Appearing in 'The Washington Post' February 12, 1975, Pertaining to Elias Demetracopoulos," 2/14/75; "Dwight Lee Chapin, John D. Ehrlichman, Harry Robbins Haldeman, Allegations by Jack Anderson, June 11, 1969," 2/15/75; "Dominican Republic, May, 1965, Reason for FBI Presence," 2/5/75; and memorandum from the Director, FBI, to the Deputy Attorney General, dated 1/31/75, captioned, "Special Squad at Democratic National Convention, Atlantic City, New Jersey, August 22-28, 1964," 1/31/75.

X 41. Copy of affidavits of Henry A. Kissinger and H. R. Haldeman and an inventory of in camera exhibit A to the affidavit of the Acting Attorney General of the USA in the trial of Daniel Ellsberg, et al., v. John N. Mitchell, et al., (D.D.C.) Civil Action No. 1879-72.

X? 42. Official envelope of the Department of Justice with the following handwritten notation, "FBI Halperin Ellsberg."

43. Official envelope of the Department of Justice with the following handwritten notation, "July 1971 Memos FBI-ISD." Enclosed therein were the following documents: Original of memorandum dated 6/4/74 from the Director to Associate Deputy Attorney General Wilderotter captioned, "Daniel Ellsberg, Electronic Surveillance;" copies of memoranda dated 7/13 and 16/71 from the Director to the Assistant Attorney General, Internal Security Division, captioned, "Daniel Ellsberg, Electronic Surveillance," and "Electronic Surveillance Information Request," respectively; and a copy of a letter dated 6/4/74 from Wilderotter to Richard H. Gill, Associate Counsel, Committee on the Judiciary, House of Representatives, New Jersey and C Streets, S. E., Washington, D. C., forwarding him copies of above-mentioned memoranda.

44. A number of legal pads (No. 969) of which three sheets contain handwritten notations pertaining to some unidentified files.

45. Unmarked envelope containing the following envelopes:

(45A) Unmarked envelope containing the original dated 1/22/75 and drafts dated 1/8/75 of a memorandum from Deputy Attorney General Silberman to Director Kelley, captioned, "Procedures for Certain Electronic Surveillances," and classified "TOP Secret."

[redacted]

(45C) A yellow envelope containing the handwritten notation, "carbons of requests (including LHS approvals)." Contained therein were three copies of ten LHMs regarding National Security Electronic Surveillances on various individuals and organizations.

46. Copy of a routing slip from Bob McDermott (Deputy Attorney General's Office) to Kevin Maroney dated 12/9/74 enclosing a number of documents concerning correspondence between the State Department and the Department of Justice Re [redacted]

47. Copies of FBI LHM dated 11/25/74 and 12/2/74 Re [redacted] IS-R," and [redacted] IS-R," classified "Secret" and "Confidential," respectively.

48. Copy of an affidavit by Carl E. Maze, Jr., in Civil Action No. 310-74, Berlin Democratic Club, et al., v. James R. Schlesinger, et al., classified "Confidential."

49. Copy of a memorandum for Members of the Cabinet Committee to Combat Terrorism on the subject, "Guidelines for Dealing with Terrorism with International Ramifications," dated 11/6/74.

50.

51. Draft of a press statement by Deputy Attorney General Silberman to set forth the origins and functions on the Inter-Divisional Information Unit.

52. Copy of a 11/7/74 memorandum from Ken Lazarus to Phil Areeda re Congressman Orval Hansen.

53. Copy of a 10/7/74 letter from Henry E. Petersen to Honorable W. P. Clements, Jr., Deputy Secretary of Defense. Attached to this letter is a draft of a National Security Decision memorandum re Nuclear Weapons Recovery.

54. Three drafts entitled "Memorandum Outline Relating to Various Legal Questions on the Responsibilities of the Rockefeller Commission."

55. Transmittal note dated 1/4/75 from Larry Silberman to Phil Buchen enclosing an Executive Order (not numbered) entitled "Establishing a Commission on CIA Intelligence Activities Within the U. S."

56. Envelope from Office of Legal Adviser, Department of State, addressed to Mr. Laurence H. Silberman. Enclosed in this envelope is a copy of "National Security Council Intelligence Directive No. 9," dated 12/4/74.

57. Original of a LHM dated 1/20/75 entitled "Karen G. Silkwood (deceased), Labor Management Reporting and Disclosure Act, Obstruction of Justice."

58. Envelope addressed to Honorable Laurence H. Silberman from Watergate Special Prosecution Force. Enclosed therein is a transmittal letter dated 1/30/75 from Ruth to Silberman enclosing a copy of Ruth's testimony before the Subcommittee on Criminal Justice of the Committee on the Judiciary, U. S. House of Representatives.

59. Sealed envelope with the caption "McLane Material."

60. Envelope tagged "FBI Cointelpro Activities (Original)."

61. Unmarked envelope. Enclosed therein is (1) original of a memorandum dated 6/4/74 from Director, FBI, to the Attorney General captioned, "Rodino Committee Request For National Security Wiretaps Records," which requested an FD 302 made following an interview of SAC C. D. Brennan in connection with the Watergate inquiry and (2) another original memorandum from Director, FBI, to the Attorney General dated and captioned as previously noted. This memorandum referred to additional documents requested by the Rodino Committee, and attached to this envelope is a sealed envelope indicating 12 enclosures.